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APPENDIX I.

MEMBERS WHO DID NOT TAKE THEIR OATH OF ALLEGIANCE.

1. Mr. Sharabhanna (Anekal Taluk).
2. „ C. Murigappaiya (Holalkere Taluk).
3. „ M. S. Dyave Gowda (Koppa Taluk).
4. „ Hutche Gowda (Mudigere Taluk).

APPENDIX II.

MYSORE EXTRADITION BILL.

Whereas it is expedient to amend and consolidate the law relating to the extradition and rendition of criminals; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title, extent and commencement.

1. (i) This Regulation may be called the Mysore Extradition Regulation, 1934.

(ii) It extends to the whole of Mysore.

(iii) It shall come into force from such date as the Government may, by notification in the *Official Gazette*, direct.

Definitions.

2. In this Regulation, unless there is anything repugnant in the subject or context.—

(*a*) "Extradition Offence" means any such offence as is described in the Schedule.

(*b*) "Offence" includes any act wheresoever committed which would, if committed in Mysore, constitute an offence.

(*c*) "Rules" include prescribed forms.

(*d*) "Fugitive Criminal" means any person accused or convicted of an extradition offence committed outside Mysore and who is or is suspected of being in some part of Mysore.

(*e*) "Prescribed" means prescribed by rules made under this Regulation.

CHAPTER II.

SURRENDER OF FUGITIVE CRIMINALS IN CASE OF STATES IN INDIA.

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3. Where an arrangement has been made with any State in India with respect to the surrender to such State of any fugitive criminals, the Government may, by notification in the *Official Gazette*, direct that this Regulation shall apply in the case of such State.

Every such notification shall recite or embody the terms of the arrangement and shall not remain in force for any longer period than the arrangement.

Apprehension of fugitives.

4. Where this Regulation applies in the case of any State, every fugitive criminal of that State who is in or is suspected of being in any part of Mysore shall be liable to be apprehended and surrendered in manner provided by this Regulation, whether the offence in respect of which the surrender is sought was committed before or after the date of the notification, and whether there is or is not any concurrent jurisdiction in any court in Mysore over that offence.

Inquiry.

5. (1) Where a requisition is made to the Government by or on behalf of the Government of any State in India in the case of which this Regulation applies for the surrender of a fugitive criminal of such State, who is in or is suspected of being in Mysore, the Government may, if it thinks fit, issue an order to any Magistrate who would have had jurisdiction to inquire into the offence if it had been an offence committed within the local limits of his jurisdiction, directing him to inquire into the case.

(2) The Magistrate so directed shall issue a summons or warrant for the arrest of the fugitive criminal according as the case appears to be one in which a summons or warrant would ordinarily issue.

(3) When such criminal appears or is brought before the Magistrate, the Magistrate shall inquire into the case in the same manner and have the same jurisdiction and powers, as nearly as may be, as if the case were one triable by the Court of Session and shall take such evidence as may be produced in support of the requisition and on behalf of the fugitive criminal, including any evidence to show that the crime of which such criminal is accused or alleged to have been convicted is an offence of a political character or is not an extradition crime.

(4) If the Magistrate is of opinion that a *prima facie* case is made out in support of the requisition, he may commit the fugitive criminal to prison to await the orders of Government.

(5) If the Magistrate is of opinion that a *prima facie* case is not made out in support of the requisition, or if the case is one which is bailable under the provisions of the Code of Criminal Procedure for the time being in force, the Magistrate may release the fugitive criminal on bail.

(6) The Magistrate shall report the result of his inquiry to Government and shall forward, together with

such report, any written statement, which the fugitive criminal may desire to submit for the consideration of Government.

(7) If the Government is of opinion that such report or written statement raises an important question of law, it may make an order referring such question of law to the High Court and the fugitive criminal shall not be surrendered until such question has been decided.

(8) If, upon receipt of such report and statement or upon the decision of any such question, the Government is of opinion that the fugitive criminal ought to be surrendered, it may issue a warrant for the custody and removal of such criminal and for his delivery at a place and to a person to be named in the warrant.

(9) It shall be lawful for any person to whom a warrant is directed in pursuance of sub-section (8) to receive, hold in custody and convey the person mentioned in the warrant to the place named in the warrant, and if such person escapes out of any custody to which he may be delivered in pursuance of such warrant, he may be re-taken as a person accused of an offence against the law of Mysore, may be re-taken upon an escape.

(10) If such a warrant as is prescribed in sub-section (8) is not issued and executed in the case of any fugitive criminal, who has been committed to prison under sub-section (4) within two months after such committal, the High Court may, upon application made to it on behalf of such fugitive criminal and upon proof that reasonable notice of the intention to make such application has been given to the Government, order such criminal to be discharged unless sufficient cause is shown to the contrary.

Magistrate to issue warrant of arrest in certain cases.

6. (1) Where it appears to any Magistrate of the first class or any Magistrate specially empowered by Government in this behalf, that a person within the local limits of his jurisdiction is a fugitive criminal of a State in India in the case of which this Regulation applies, he may, if he thinks fit, issue a warrant for the arrest of such person on such information or complaint and on such evidence as would in his opinion justify the issue of a warrant if the crime of which he is accused or has been convicted had been committed within the local limits of his jurisdiction.

Issue of warrant to be reported forthwith.

(2) The Magistrate shall forthwith report the issue of a warrant under this section to the Government.

(3) A person arrested on a warrant issued under this section, shall not be detained more than two months unless within that period the Magistrate receives an order made with reference to such person under sub-section (2) of Section 5. Person arrested not to be detained unless order received.

(4) In the case of a person arrested or detained under this section the provisions of the Code of Criminal Procedure for the time being in force relating to bail shall apply in the same manner as if such person were accused of committing in Mysore the offence of which he is accused or has been convicted. Bail.

7. The Government may at any time stay any proceedings taken under this chapter and direct any warrant issued under this chapter to be cancelled and the person for whose arrest such warrant has been issued to be discharged. Power of Government to discharge any person in custody at any time.

CHAPTER III.

SURRENDER OF CRIMINALS IN CASE OF BRITISH INDIA.

8. (1) Where an extradition offence has been committed or is supposed to have been committed by a person in British India and when such person escapes into or is in Mysore, the Government may, on receipt of a requisition made by or on behalf of any Local Government in British India for the surrender of the said person, direct the issue of a warrant addressed to the District Magistrate of any district in which such person is believed to be, for his arrest, and delivery at a place and to a person or authority indicated in the warrant, and such Magistrate shall act in pursuance of such a warrant and may give directions accordingly. Issue of warrant by Government in certain cases.

(2) A warrant issued as mentioned in sub-section (1) shall be executed in the manner provided by the law for the time being in force with reference to the execution of warrants, and the accused person, when arrested, shall be produced before the District Magistrate who shall record any statement made by him; such accused person shall then, unless released in accordance with the provisions of this Regulation, be forwarded to the place and delivered to the person or authority indicated in the warrant.

(3) The provisions of the Code of Criminal Procedure for the time being in force in relation to proclamation and attachment in the case of persons absconding, shall, with any

necessary modifications, apply where any warrant has been received by a District Magistrate under this section as if the warrant had been issued by himself.

Release on giving security.

9. (1) Where an endorsement has been made on any such warrant that the person for whose arrest it is issued may be released on executing a bond with sufficient sureties for his attendance before a person or authority indicated in this behalf in the warrant at a specified time and place, the Magistrate to whom the warrant is addressed shall, on such security being given, release such person from custody.

(2) When security is taken under this section, the Magistrate shall certify the fact to the Government and shall retain the bond.

(3) If the person bound by any such bond does not appear at the time and place specified, the Magistrate may, on being satisfied as to his default, issue a warrant directing that he be re-arrested and handed over to any person authorised by the Government to take him into custody.

(4) In the case of any bond executed under this section, the Magistrate may exercise the powers conferred by the Code of Criminal Procedure for the time being in force in relation to taking a deposit in lieu of the execution of a bond and with respect to the forfeiture of bonds and the discharge of sureties.

Requisition for surrender.

10. Where a requisition is made to the Government by or on behalf of any Local Government in British India for the surrender of any person accused of having committed in British India an offence other than an extradition offence, such requisition shall (except in so far as it relates to the taking of evidence to show that the offence is of a political character or is not an extradition offence) be dealt with so far as may be in accordance with the procedure prescribed in Section 5.

Issue of warrants for arrest.

11. (1) If it appears to any Magistrate of the first class or any Magistrate empowered by Government in this behalf that a person within the local limits of his jurisdiction is accused or suspected of having committed an offence in British India and that such person may lawfully be surrendered or that a warrant may be issued for his arrest under Section 8, the Magistrate may, if he thinks fit, issue a warrant for the arrest of such person on such information or complaint and on such evidence as would, in his opinion, justify the issue of a warrant if the offence had been committed within the local limits of his jurisdiction.

(2) The Magistrate shall forthwith report to Government through the District Magistrate the issue of a warrant under this section.

(3) A person arrested on a warrant issued under this section shall not, without the special sanction of the Government, be detained more than two months, unless within such period the Magistrate receives an order made with reference to such person in accordance with Section 10 or a warrant for the arrest of such person under Section 8 is issued.

(4) In the case of a person arrested or detained under this section, the provisions of the Code of Criminal Procedure for the time being in force relating to bail shall apply in the same manner as if such person were accused of committing in Mysore the offence with which he is charged.

Surrender of prisoners.

12. (1) A person accused of an offence committed in Mysore not being the offence for which his surrender is asked or undergoing sentence under any conviction in Mysore shall not be surrendered except on the condition that such person be re-surrendered to the Government on the termination of his trial for the offence for which his surrender has been asked:

Provided that no such condition shall be deemed to prevent or postpone the execution of a sentence of death lawfully passed.

(2) On the surrender of a person undergoing sentence under a conviction in Mysore, his sentence shall be deemed to be suspended until the date of his re-surrender, when it shall revive and have effect for the portion thereof which was unexpired at the time of his surrender.

Application of Chapter to persons convicted in British India.

13. The provisions of this Chapter with reference to accused persons shall, with any necessary modifications, apply to the case of a person who, having been convicted of an offence in British India, has escaped into or is in Mysore before his sentence has expired.

Abetment and attempt.

14. Every person who is accused or convicted of abetting or attempting to commit any offence shall be deemed for the purposes of this Chapter to be accused or convicted of having committed such offence, and shall be liable to be arrested and surrendered accordingly.

Escape from custody.

15. It shall be lawful for any person to whom a warrant is directed in pursuance of the provisions of this Chapter to receive, hold in custody, and convey the person

mentioned in the warrant, to the place named in the warrant and, if such person escapes out of any custody to which he may be delivered in pursuance of such warrant, he may be re-taken as a person accused of an offence against the law of Mysore, may be re-taken upon an escape.

Stay of proceedings.

16. The Government may, by order, stay any proceedings taken under this Chapter, and may direct any warrant issued under this Chapter to be cancelled, and the person for whose arrest such warrant has been issued to be discharged.

Application of Chapter.

17. The provisions of this Chapter shall apply to an offence committed before the passing of this Regulation and to an offence in respect of which a court of Mysore has concurrent jurisdiction.

CHAPTER IV.

MISCELLANEOUS.

Receipt of exhibits and depositions as evidence.

18. In any proceedings under this Regulation, exhibits and depositions (whether received or taken in the presence of the person against whom they are used or not) and copies thereof, and official certificates of facts and judicial documents stating facts, may, if authenticated in the prescribed manner, be received as evidence.

Evidence by commission.

19. The testimony of any witness may be obtained in relation to any criminal matter pending in any State in India in a like manner as it may be obtained in any civil matter under the provisions of the Code of Civil Procedure for the time being in force with respect to commissions and the provisions of that Code relating thereto shall be construed as if the term "suit" included criminal proceeding.

Power to make rules.

20. (1) The Government may make rules to carry out the purposes of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for,—

(*a*) the removal of prisoners, accused or in custody under this Regulation, and their control and maintenance until such time as they are handed over to the persons named in the warrant as are entitled to receive them ;

(*b*) the seizure and dispossession of any property

which is the subject of, or required for proof of, any alleged offence to which this Regulation applies;

(*c*) the pursuit and arrest in Mysore, by officers of the Government or other persons authorised in this behalf, of persons accused of offences committed elsewhere;

(*d*) the procedure and practice to be observed in extradition proceedings;

(*e*) prescribing the authorities of any Local Government in British India or a State in India whose requisitions may be acted upon under this Regulation; and

(*f*) the manner of authenticating documents.

(3) Rules made under this section shall be published in the *Official Gazette* and shall thereupon have effect as if enacted by this Regulation.

Detection of persons arrested.

21 Notwithstanding anything in the Code of Criminal Procedure, 1904, any person arrested without an order from a Magistrate and without a warrant, in pursuance of the provisions of Section 54, clause (7) of the said Code, may, under the orders of a Magistrate within the local limits of whose jurisdiction such arrest was made, be detained in the same manner and subject to the same restrictions as a person arrested on a warrant issued by such Magistrate under Section 11.

Repeal.

22. (1) On and from the date this Regulation comes into force, the Chief Commissioner's Notification No. III, dated 23rd July 1878, and Government Notification No. J. 219—Legis. 14-04-14, dated the 20th July 1907, in so far as they are inconsistent with the provisions of this Regulation shall be deemed to be repealed.

(2) All orders made and acts done under any of the notifications hereby repealed in respect of requisitions received before the coming into force of this Regulation shall have the same force and effect as if they had been made or done under this Regulation.

Prerogative right of His Highness the Maharaja to direct extradition.

23. Nothing contained in this Regulation shall affect or be deemed to have affected the prerogative right of His Highness the Maharaja to direct independently of this Regulation the extradition and surrender of any criminal found in Mysore, which right is hereby declared to be and to have been always possessed and retained by His Highness.

THE SCHEDULE.

EXTRADITION OFFENCES.

(The sections referred to are the sections of the Indian Penal Code).

Frauds upon creditors (Section 206).
Resistance to arrest (Section 224).
Offences relating to coin and stamps (Sections 230 to 263A).
Culpable homicide (Sections 299 to 304).
Attempt to murder (Section 307).
Thagi (Sections 310, 311).
Causing miscarriage and abandonment of child (Sections 312 to 317).
Causing hurt (Sections 323 to 333).
Wrongful confinement (Sections 347, 348).
Kidnapping and slavery (Sections 360 to 373).
Rape and unnatural offences (Sections 375 to 377).
Theft, extortion, robbery, etc. (Sections 378 to 414).
Cheating (Sections 415 to 420).
Fradulent deeds, etc. (Sections 421 to 424).
Mischief (Sections 425 to 440).
Lurking house-trespass (Sections 443, 444).
Forgery, using forged documents, etc. (Sections 463 to 477A).
Desertion from the Army.
Piracy by law of nations.

Sinking or destroying a vessel at sea, or attempting or conspiring to do so.

Assault on board a ship on the high seas with intent to destroy life or to do grievous bodily harm.

Revolt or conspiracy to revolt by two or more persons on board a ship on the high seas against the authority of the master.

Any offences against the laws relating to criminal tribes or against any section of the Indian Penal Code or against any other law which may, from time to time, be specified by the Government by notification in the *Official Gazette* either generally for British India and for all States, or specially for British India or for any one or more States.

APPENDIX III.

GOVERNMENT BUSINESS NOT TAKEN UP.

V. Statement of General Principles of the Mysore Road Traffic and Taxes Bill.

In October 1932, the Government appointed a Committee with Sir Charles Todhunter as President, to enquire into the matter of the regulation and taxation of motor transport. The committee submitted their report and made detailed recommendations. The Government have considered their recommendations and propose to introduce a Bill entitled "The Mysore Road Traffic and Taxes Bill" to give effect to such of the recommendations of the committee as have been accepted by Government and cannot be brought into force under the existing Regulations and Rules. The general principles of the Bill are as detailed below:—

1. The Bill will empower the Government to create a central co-ordinating and licensing authority, called the Traffic Board consisting of official and non-official members, the latter including a representative each of the motor bus owners, other owners of motor conveyances, agricultural interests and commercial interests. The Chairman of the Board will be appointed by the Government.

The Board will be the central authority under the Government to administer generally the Motor Vehicles Regulation and the Road Traffic and Taxes Regulation and the rules under them and to license motor vehicles in accordance with rules to be prescribed by the Government. The Board will also have the power to hold enquiries in cases of accidents of a serious nature connected with motor vehicles.

2. An obligation will be laid on private lorries also to obtain permits which will be granted subject to conditions and limitations prescribed by rules.

3. The existing District Board Toll-gates will be taken over to Government control and power will be taken to establish and work new toll-gates on District Board roads as and when required by the Government. Section 66 of the District Boards Regulation empowering District Boards to establish toll-gates on their roads will be repealed.

4. Compensation will be made to the District Boards for loss of toll revenue on the basis of the average collections of tolls for the previous three years. This calculation will be subject to revision at the end of every three years.

APPENDIX III—*contd.*

	Rs.	a.	p.
(2) On every cart or other vehicle drawn by two bullocks, (buffaloes, horses, ponies, asses or mules) if laden with timber and stones.	0	8	0
(3) On every cart or other vehicle drawn by two bullocks, (buffaloes, horses, ponies, asses or mules) if not laden.	0	1	0

Half the above rates are leviable on bullock carts with tyres over $2\frac{1}{2}''$ wide.

The existing concession of the carts of agriculturists being exempt from tolls at any toll-gate situated within a radius of five miles of their homes will be continued.

11. The exemption from tolls in all the cases above referred to applies to those levied at ordinary toll-gates for maintenance. Provision will however be made for the levy of *ad hoc* tolls on all vehicles whenever necessary for a term of years, when a special facility such as a new bridge, a new road, etc., is provided.

12. Government will be empowered to make rules for carrying out all or any of the purposes of this Regulation.

SCHEDULE I—A.

Vehicle Tax.

		Yearly
1.	For every motor cycle	Rs. 15
2.	For every motor car weighing less than 15 cwt.	„ 30
3.	For every motor car weighing 15 cwt. or more	„ 40
4.	For every private motor vehicle adapted to carry 8 persons or more	„ 60
5.	For every motor or bus used by hotels, schools, etc., only for their clientele for *bona fide* purposes connected with their work, within municipal limits	„ 100
6.	For every heavy motor vehicle (*i.e.*, exceeding two tons in weight unladen)	„ 100

APPENDIX III—*contd.*

SCHEDULE I—B.

Road Tax (Optional).

Class of Vehicles	Annual Tax	
	For vehicle fitted with pneumatic tyres	For other vehicles
	Rs.	Rs.
1. Motor cycles and tricycles including motor scooters and cycles with attachment for propelling the same by mechanical power not exceeding 8 cwt. unladen :—		
(i) Bicycles	30	40
(ii) Bicycles, if used for drawing a trailer or side-car.	40	50
(iii) Tricycles	40	50
2. Motor vehicles for passengers :—		
(*a*) Weighing not more than 15 cwt., unladen.	70	100
(*b*) Weighing more than 15 cwt., but not more than 30 cwt., unladen	100	150
(*c*) Weighing more than 30 cwt., but not more than 45 cwt., unladen	130	200
(*d*) Weighing more than 45 cwt., but not more than 60 cwt., unladen	160	240
(*e*) Weighing more than 60 cwt., unladen.	200	300
(*f*) Additional tax payable in respect of such vehicles when used for drawing trailers.—		
(i) For each trailer not exceeding 1 ton in weight unladen.	40	60
(ii) For each trailer exceeding 1 ton in weight unladen.	80	120
Provided that two or more vehicles shall not be chargeable under this class in respect of the same trailer.		

APPENDIX III—*contd.*

SCHEDULE I—C.

Road Tax (Compulsory).

Class of Vehicles	Quarterly Tax	
	For vehicles fitted with pneumatic tyres	For other vehicles
	Rs.	Rs.
Motor vehicles used in the course of trade and industry for the transport or haulage of goods or materials, including tricycles weighing more than 8 cwt., unladen :—		
(*a*) Vehicles not exceeding 15 cwt., in weight, unladen ...	30	45
(*b*) Vehicles exceeding 15 cwt., but not exceeding 25 cwt., in weight, unladen.	50	70
(*c*) Vehicles exceeding 25 cwt., but not exceeding 30 cwt., in weight, unladen.	70	90
(*d*) Vehicles exceeding 30 cwt., but not exceeding 35 cwt. in weight, unladen.	90	115
(*e*) Vehicles exceeding 35 cwt., but not exceeding 50 cwt., in weight, unladen.	112½	150
(*f*) Vehicles exceeding 50 cwt., but not exceeding 70 cwt., in weight, unladen.	150	185
(*g*) Vehicles exceeding 70 cwt., but not exceeding 100 cwt., in weight, unladen.	175	225
(*h*) Additional tax payable in respect of such vehicles when used for drawing trailers.—		
(i) For each trailer not exceeding 1 ton in weight, unladen.	60	85
(ii) For each trailer exceeding 1 ton in weight, unladen.	125	160
Provided that two or more vehicles shall not be chargeable under this class in respect of the same trailer.		

APPENDIX III—*concld.*

SCHEDULE I—D.

Service Tax for Public Service Vehicles.

	Quarterly Tax	
Motor vehicles plying for hire and used for the transport of passengers.	*For vehicles fitted with pneumatic tyres.*	*For other vehicles.*
(*a*) Vehicles licensed to carry in all not more than four persons.	40	60
(*b*) Vehicles licensed to carry more than four persons for every person which the vehicle is so licensed to carry.	10	15

N.B.—One seat for the Driver in the case of Motor Taxis and two seats for the Driver and Conductor in the case of Public Service Motor Buses are excluded for the purposes of this tax.